

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Yves Patrick Lajouanie

Application No.: 09/862,871

U.S. Filing Date: May 22, 2001

Title: PERFORMANCE MANAGEMENT SYSTEM AND METHOD

Group Art Unit: 3623

Confirmation No.: 1076

Examiner: Jonathan G. Sterrett

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56 and in conformance with the procedures of 37 C.F.R. §§ 1.97 and 1.98 and M.P.E.P. § 609, attorneys for the Applicants hereby bring the following references to the attention of the Examiner. The references are listed on the attached PTO Forms PTO/SB/08A and PTO/SB/08B. Please also find attached copies of the references cited on the Form PTO/SB/08B.

It is respectfully requested that the information be expressly considered, and that the references be made of record and appear among the "References Cited" on any patent to issue from the above-identified application.

CERTIFICATE OF SUBMISSION

I hereby certify that this correspondence is being transmitted electronically via EFS – Web at the USPTO on June 7,

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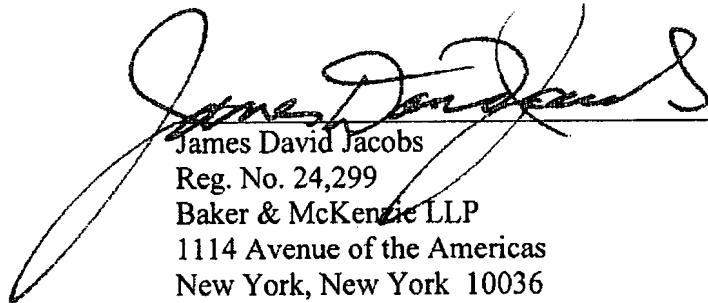
Davis Branco

This information disclosure statement is being filed under 37 C.F.R. § 1.97(c)(2).

The Commissioner for Patents is hereby authorized to charge Deposit Account No. 02-0393 of Baker & McKenzie LLP for the fee set forth in 37 C.F.R. § 1.17(p).

Dated: June 7, 2007

Respectfully submitted,

A large, stylized handwritten signature in black ink, which appears to read "James David Jacobs", is written over a horizontal line.

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Application Number	09/862,871
Filing Date	May 22, 2001
First Named Inventor	Yves Patrick Lajouanie
Art Unit	3623
Examiner Name	Jonathan G. Sterrett
Attorney Docket Number	56828264-4

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
JS		us-6,898,783	05-24-2005	Gupta et al.	
		us-2004/0068431	04-08-2004	Smith et al.	
		us-2005/0010456	01-13-2005	Chang et al.	
		us-2004/0139451	07-15-2004	Hope et al.	
		us-2004/0139450	07-15-2004	Hope et al.	
		us-2004/0139449	07-15-2004	Hope et al.	
		us-2004/0139448	07-15-2004	Hope et al.	
		us-2004/0139447	07-15-2004	Hope et al.	
		us-2004/0139446	07-15-2004	Hope et al.	
		us-2004/0139451	07-15-2004	Hope et al.	
		us-2006/0184410	08-17-2006	Ramamurthy et al.	
		us-2006/0190433	08-24-2006	Chkodrov et al.	
		us-7,107,339	09-12-2006	Wolters, Timothy J.	
		us-2006/0200444	09-07-2006	Bracho et al.	
		us-7,028,312	04-11-2006	Merrick et al.	
		us-2005/0166209	06-28-2005	Merrick et al.	
		us-2005/0171809	08-04-2005	Klein et al.	
		us-2005/0171810	08-04-2005	Klein et al.	

FOREIGN PATENT DOCUMENTS

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		Country Code ³ "Number" ⁴ "Kind Code" ⁵ (if known)				

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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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		Number-Kind Code ² (if known)			
JG		us- 2005/0192894	09-01-2005	Klein et al.	
		us- 2005/0256732	11-17-2005	Bauer et al.	
		us- 2005/0256752	11-17-2005	Ramachandran et al.	
		us- 2005/0278270	12-15-2005	Carr et al.	
		us- 2006/0009991	12-12-2006	Jeng et al.	
		us- 2006/0047545	03-02-2006	Kumar et al.	
		us- 2006/0064438	03-23-2006	Aggarwal	
		us- 2006/0080117	04-13-2006	Carr et al.	
		us- 2006/0089939	04-27-2006	Broda et al.	
		us- 2006/0106626	05-18-2006	Jeng et al.	
		us- 2006/014034	06-29-2006	Rothermel et al.	
		us- 2006/0143057	06-29-2006	Sadiq, W.	
		us- 2006/0143611	06-29-2006	Sadiq, W.	
		us- 2004/0139452	07-15-2004	Hope et al.	
		us- 2004/0155903	08-12-2004	Schneeberg, Brian D.	
		us- 2004/0176968	09-09-2004	Syed et al.	
		us- 2004/0199517	10-07-2004	Casati et al.	
		us- 2005/0027574	02-03-2005	Agrawal et al.	

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		Number-Kind Code ² (if known)			
205		us- 2005/0065807	03-24-2005	DeAngelis et al.	
		us- 2005/0065904	03-24-2005	DeAngelis et al.	
		us- 2005/0065941	03-24-2005	DeAngelis et al.	
		us- 2005/0071321	03-31-2005	Chen et al.	
		us- 2005/0091093	04-28-2005	Bhaskaran et al.	
		us- 2005/0114187	05-26-2005	Adachi et al.	
		us- 2005/0171807	08-04-2005	Klein et al.	
		us- 2004/0093381	05-13-2004	Hodges et al.	
		us- 2004/0068431	04-08-2004	Smith et al.	
		us- 2004/0054690	03-18-2004	Hillerbrand et al.	
		us- 2003/0193960	10-16-2003	Land et al.	
		us- 2003/0115334	06-19-2003	Bhat et al.	
		us- 2006/0212567	09-21-2006	Gulledge et al.	
		us- 2004/0138931	07-15-2004	Hope et al.	
		us- 2004/0139444	07-15-2004	Hope et al.	
-1		us- 2004/0139445	07-15-2004	Hope et al.	
		us-			
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